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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,016	03/31/2004	Ellen Glassman	Sony-06700	9225
23353 7590 06/30/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER				
CHOWDHURY, NIGAR				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
06/30/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/815,016

Applicant(s)

GLASSMAN ET AL.

Examiner

NIGAR CHOWDHURY

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,7-9,22-29 and 31-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,7-9,22-29 and 31-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3-4, 7-9, 22-29, 31-39 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 4, 7-9, 22-29, 31-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,757,479 by Niikawa in view of US Patent No. 6,329,787 by Ito et al. and US 2007/0271508 by Audet and US 6,577,811 by Kikuchi et al.

3. Regarding **claim 1**, Niikawa discloses a method comprising: (Fig. 1-3, Col. 2 line 45-51)

- Storing content on a portable memory device, content including an image captured using a recorder/playback device (Fig. 1-3, Col. 2 line 50, 51)

- Detaching the portable memory device from the recorder/playback device (Col. 2 line 45-58, memory card 8 is "inserted" it means they can be detached)

Niikawa fails to disclose displaying the image on the portable memory device while the portable memory device is detached from the recorder/playback device and displaying functional controls for the recorder/playback device while the portable memory device is connected to the recorder/playback device.

Ito discloses displaying the image on the portable memory device while the portable memory device is detached from the recorder/playback device (Fig. 1, 2, Col. 3 lines 29-32)

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Niikawa's system to include a display unit, as taught by Ito, for the advantage of providing a viewing communication to the user for easy understanding.

Niikawa and Ito both fail to disclose displaying functional controls for the recorder/playback device while the portable memory device is connected to the recorder/playback device.

Audet discloses displaying functional controls for the recorder/playback device while the portable memory device is connected to the recorder/playback device (paragraph 0130, 0144, 0236).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Niikawa and Ito's system to

include a functional controls, as taught by Audet, on the portable memory device for the viewers to communicate easily.

Niikawa, Ito, and Audet fail to disclose providing access to a secondary user interface on the recorder/playback device that is inaccessible when the portable memory device is attached.

Kikuchi discloses providing access to a secondary user interface on the recorder/playback device (DVD digital video recorder or PC (fig. 33)) that is inaccessible when the portable memory device is attached (col. 67 lines 57-65).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the proposed combination of Niikawa, Ito, and Audet's system to include a recorder/playback device, as taught by Kikuchi, which will be inaccessible when there will be any problem or error in the portable memory device to let user know about condition of a portable memory device.

4. Regarding **claim 3**, Niikawa discloses the method further comprising transmitting the content from the recorder/playback device to the portable memory device. (Col. 2 line 50, 51, Col. 3 line 8-10)

5. Regarding **claim 4**, Ito discloses the method further comprising selecting the image for display on the portable memory device. (Col. 2 lines 20-32)

6. Regarding **claim 7**, Niikawa discloses the method further comprising a mode to display the image, wherein the mode includes displaying the image as part of sequentially displaying multiple pieces of content. (Fig. 7, Col. 6 line 36-42)

7. Regarding **claim 8**, Niikawa discloses the method further comprising selecting a mode to display the image, wherein the mode includes displaying the image as part of simultaneously displaying multiple pieces of content. (Fig. 7, Col. 6 line 36-42)

8. Regarding **claim 9**, the method wherein the recorder/playback device is one of a digital camera (Niikawa, Col. 6 line 55-58), video camera (Niikawa, Col. 6 line 55-58), an audio recorder/player (Audet, paragraph 0130, 0144, 0161, 0236), a computer (Niikawa, Col. 6 line 55-58), or a television (Audet, paragraph 0223).

9. Regarding **claim 22**, Audet discloses the method wherein functional controls include soft keys that are particular to the recorder/playback device. (Soft key is a button, located along a display device, which performs whatever function is shown near it on that display. paragraph 0130, 0144, 0236)

10. Regarding **claim 23**, Ito discloses the method wherein the portable memory device is configured to include an attachment area to attach with a battery charging device (Col. 2 lines 14-19) but Ito fails to disclose an attachment area including a magnet

for attaching the portable memory device to a metallic object, such that the portable memory device displays the image while attached to the metallic object.

It is noted that the use of magnet for attaching to a metallic device is old and well-known in the recording art. Therefore, official notice is taken. Moreover, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a well-known magnet for attaching to a metallic device. User can easily attach a device without holding it while doing other work at the same time which will be more convenient.

11. **Claim 24** is rejected for the same reason as discussed in the corresponding method claim 1 above.

12. **Claim 25** is rejected for the same reason as discussed in the corresponding method claim 22 above.

13. **Claim 26** is rejected for the same reason as discussed in the corresponding method claim 23 above.

14. Regarding **claim 27**, Ito discloses the portable memory system wherein the interface means connects to and detaches from the recorder/playback device via a wireless connection (Fig. 1, portable device 14 is connected to a device 24 via a wireless connection).

15. **Claim 28** is rejected for the same reason as discussed in the corresponding method claim 7 above.

16. Regarding **claim 29**, Niikawa discloses the method wherein the recorder/playback device is one of a digital camera and a computer. (Col. 6 line 55-58)

17. **Claim 31** is rejected for the same reason as discussed in the corresponding method claim 1 above.

18. **Claim 32** is rejected for the same reason as discussed in the corresponding method claim 22 above.

19. **Claim 33** is rejected for the same reason as discussed in the corresponding method claim 23 above.

20. Regarding **claim 34**, Kikuchi discloses the method further comprising storing content on an internal memory (fig. 26 (34, 57)) in the portable recorder/playback device (DVD digital recording device or PC), content including a second image captured using a portable recorder/playback device, when portable memory device is detached from the portable recorder/playback device (fig. 26, col. 27 lines 30-col. 28 lines 64).

21. Regarding **claim 35**, Kikuchi discloses the method further comprising displaying a second image on a second display (fig. 26 (46, 48)), the second display being a part of the secondary user interface, and wherein the user interface is positioned underneath

portable memory device when the portable memory device is attached (fig. 26-27, col. 30 lines 8-col. 31 lines 20, user can change setting of a DVD digital video recorder (fig. 27 (200)), the way they want, user interface (operation control keys) can be positioned underneath portable memory device (DVD (202)) or vice versa).

22. **Claim 36** is rejected for the same reason as discussed in the corresponding claim 35 above.

23. Regarding **claim 37**, Kikuchi discloses the portable imaging system further wherein the secondary user interface includes a second display that is accessible when the portable memory device is detached from the portable recorder/playback device (fig. 27-28, col. 31 lines 59-63), and inaccessible (col. 44 lines 10-30) and positioned underneath the portable memory device when the portable memory device is attached to the portable recorder/playback device (fig. 27 (200)), the way they want, user interface (operation control keys) can be positioned underneath portable memory device (DVD (202)) or vice versa).

24. **Claim 38** is rejected for the same reason as discussed in the corresponding claim 36 above.

25. **Claim 39** is rejected for the same reason as discussed in the corresponding claim 37 above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **NIGAR CHOWDHURY** whose telephone number is (571)272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NC

06/19/2008

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621